

** NOT PRINTED FOR PUBLICATION **

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

CHELSEA L. DAVIS,

Plaintiff,

v.

SAMUEL F. BAXTER,

Defendant.

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CIVIL ACTION No. 4-13-CV-514

JUDGE RON CLARK

ORDER DENYING PLAINTIFF'S MOTION TO VACATE ORDER OF DISMISSAL

Before the court is Plaintiff's Motion to Vacate Order of Dismissal or Motion for Extension of Time to File Notice of Appeal. [Doc. # 9]. On September 10, 2013, Plaintiff filed a Motion to Dismiss without Prejudice. [Doc. # 5]. Defendant consented to the dismissal without prejudice. [Doc. # 6]. This court entered an order dismissing the case without prejudice. [Doc. # 7]. This dismissal does not affect the rights of the parties in this matter. As such, it is unnecessary to vacate this dismissal or to extend the time to file an appeal. IT IS THEREFORE ORDERED that Plaintiff's Motion to Vacate Order of Dismissal or Motion for Extension of Time to File Notice of Appeal [Doc. # 9] is DENIED.

So **ORDERED** and **SIGNED** this **10** day of **December, 2013**.



Ron Clark, United States District Judge